

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6428

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MARCEL RANSOM,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Catherine C. Blake, District Judge. (CR-99-250-CCB, CA-01-3401-CCB)

Submitted: July 2, 2003

Decided: July 23, 2003

Before WILKINSON and NIEMEYER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Marcel Ransom, Appellant Pro Se. James Marton Trusty, OFFICE OF THE UNITED STATES ATTORNEY, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Marcel Ransom seeks to appeal the district court's order denying his 28 U.S.C. § 2255 (2000) motion. An appeal may not be taken from the final order in a motion under § 2255 unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). A certificate of appealability will not issue for claims addressed by a district court on the merits absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). We have independently reviewed the record and conclude Ransom has not made the requisite showing.* See Miller-El v. Cockrell, 537 U.S. 322 (2003). Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

* To the extent Ransom seeks to raise for the first time on appeal issues not properly presented to the district court, we find they are waived. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993) (holding claims raised for first time on appeal will not be considered absent exceptional circumstances).